	Application No.	Applicant(s)
	09/894,274	TANUMIHARDJA ET AL.
Office Action Summary	Examiner	Art Unit	
	Frantzy Poinvil	3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>07 December 2009</u>.

2a) ☐ This action is FINAL.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-78</u> is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-78</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a) ☐ All b) ☐ Some * c) ☐ None of:

  1. ☐ Certified copies of the priority documents have been received.

  2. ☐ Certified copies of the priority documents have been received in Application No. _____.

  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date <u>1/13/2010; 1/14/2010</u>.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/31/2007 has been entered.

2.   Applicant's arguments filed 12/07/2009 have been fully considered but they are not persuasive.

Claim Rejections - 35 USC § 112

3.   Claims 1-45, 63, 64 and 77 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claims 1 and 21, 23, 43, 45, 63, 77, the spelling for the acronym "RSVP" should be completely spelled out.

As per claims 22, 44 and 64 the spelling for the acronyms "WML", CHTML", "IE HTML" and "XML" should completely spelled out.

Claims not directly addressed are rejected based on their dependencies.

REMARKS:

4.   Applicant's representative argues that Joao et al do not teach the function of transmitting

a managed message. In response, the Examiner respectfully disagrees with the applicant's

representative because Joao et al teach transmitting a message to all involved parties regarding a

particular account that is being used for a particular transaction. The managed message includes

the particular items being purchased, the name or the store, the price, location of the store and

other relevant information in addition to the approval or denial of the particular transaction.

Applicant is directed to columns, 14, 16 and 18 of Joao et al.

Applicant's representative then argues that Joao et al do not teach, suggest or contemplate

the function of "receiving an affirmative response in reply to the managed message...in response

to a successful payment associated with the at least one payment transaction authorization". In

response, Joao et al state "

> "If, at step 46, the central processing computer 3 identifies the
> cardholder reply or response as being one to authorize the transaction,
> the central processing computer 3, at step 51, will reset the
> unauthorized transaction count (UNAUTHCT) to 0. An unauthorized
> transaction count (UNAUTHCT) of 0 will signify that any string of
> unauthorized transactions has now been broken by the cardholder, and
> further, that the present transaction is approved by the cardholder.
> The central processing computer 3 will then, at step 52, transmit a
> signal and/or data to the point-of-sale terminal 2 which will notify
> and/or instruct the point-of-sale terminal operator that the
> transaction is authorized and/or approved. ".

Applicant's representative argues that Joao et al fail to teach or suggest "wherein the at

least one payment transaction authorization includes at least one type from a group consisting of

a pre-authorization type, an expiration date link type, an error type, a billing type, and a refund

type," .   In response, Joao et al state that many types of criteria are stored in a user's profile in a

database and information regarding these criteria are checked with a particular transaction in

order to approve or deny the particular transaction. Joao et al state that:

> "The database 3H may also comprise data and/or information
> regarding specific limitations and/or restrictions which may be placed
> on a particular account, which may be pre-selected and/or programmed by
> the cardholder and which may include limitations and/or restrictions on
> the usage of the card. The limitations and/or restrictions may include
> the types of transactions which are allowed and/or authorized, the
> goods and/or services which may be purchased with the card, the
> vendors, stores and/or service provider which may be authorized to
> accept the card, limits on the dollar amounts of transactions
> pertaining to each authorized vendor, seller and/or service provider,
> daily spending limits, and/or the geographical area or location wherein
> authorized card use may be limited, and/or authorized times for card
> usage (i.e. specific days, dates, time of day, time of month, year,
> etc.), and/or any other limitation and/or restriction regarding amount
> of transaction, parties involved, geographical area, and/or times of
> allowed usage. The database 3H is also connected to the CPU 3A. The
> central processing computer 3 also comprises a printer 3I or other
> appropriate output device for outputting information and/or data to a
> user or operator. ".

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

Claims 1-20, 23-42, 45-62, 65-76 and 78 are rejected under 35 U.S.C. 102(e) as

being anticipated by Joao et al (US Patent No. 6,539,725).

As per claim 1, Joao et al disclose a system and method for authorizing a financial transaction. A user performing a financial transaction presents a card for the payment of a the transaction to a sales clerk or operator or to a computerized system. In so doing, Joao et al disclose:

transmitting to a wireless device associated with a first user a managed message from a computational entity (column 18, lines 22-54);

transmitting the managed message to at least one other device associated with at least one other user from the computational entity, wherein the managed message includes at least one element from a group consisting of an RSVP clement, a question element, a things-to-bring clement, a comment clement, a location element, a graphic card element, a recipient list element, and a ticketing element (column 18, lines 22-54) ;

receiving, from at least one of the users, at least one payment transaction authorization associated with input responsive to the managed message, Wherein the at least one payment transaction authorization includes at least one type from a group consisting of a pre-authorization type, an expiration date link type, an error type, a billing type, and a refund type (column 16, lines 51-65; column 18, lines 55-67); and

receiving an affirmative response in reply to the managed message from at least one of the users in response to a successful payment associated with the at least one payment transaction authorization. (See column 16, lines 51-65; column 17, lines 50-62).

As per claim 2, Joao et al disclose receiving, from at least one of the users, the at least one payment transaction authorization associated with input responsive to the managed message "comprises accepting alphanumeric input [[to]] from the wireless device (column lines 52-65).

As per claim 3, Joao et al disclose receiving, from at least one of the users, the at least one payment transaction authorization associated with input responsive to the managed message comprises accepting voice input [[to]] from the wireless device (the communication device of the user is a telephone which will transmit and receive vocal, speech or voice messages). See column 14, lines 52-65.

As per claim 4, Joao et al disclose receiving, from at least one of the users, the at least one payment transaction authorization associated with input responsive to the managed message comprises receiving alphanumeric input. The wireless device of the user is a telephone or fax capable of receiving and sending alphanumeric data. See column 14, lines 52-65.

As per claim 5, Joao et al disclose receiving, from at least one of the users, the at least one payment transaction authorization associated with input responsive to the managed message comprises transmitting receiving voice input. The wireless device of the user is a telephone or fax capable of receiving and sending alphanumeric data.   See column 14, lines 52-65 and column 18 lines 55-64..

As per claim 6, Joao et al disclose receiving, from at least one of the users, the at least one payment transaction authorization associated with input responsive to the and the wireless device managed message comprises receiving a signal associated with input authorizing a credit card transaction.

As per claim 7, Joao et al disclose receiving, from at least one of the users, the at least one payment transaction authorization associated with input responsive to the managed message comprises receiving a signal associated with input authorizing a debit card transaction. See column 20, lines 16-28 and lines 45-63.

As per claim 8, Joao et al disclose receiving, from at least one of the users, the at least one payment transaction authorization associated with input responsive to the device managed message comprises receiving a signal associated with input authorizing an automatic check handling transaction. See column 20, lines 34-45 and lines 63-67.

As per claim 9, Joao et al disclose receiving, from at least one of the users, the at least one payment transaction authorization associated with input responsive to the managed message comprises accepting user input associated with the at least one payment transaction authorization and entry of financial data. See column 14, lines 52-65 and column 18 lines 55-64.

As per claim 10, Joao et al disclose accepting user input associated with the at least one payment transaction authorization and entry of financial data comprises accepting near-real-time

entry of credit card information. The user is given a predetermined time limit to respond to the approval of the transaction. See column 18, lines 55-64 and column 20, lines 16-28 and lines 45-63.

As per claim 11, Joao et al disclose accepting user input associated with the at least one payment transaction authorization and entry of financial data comprises accepting near-real-time entry of debit card information. The user is given a predetermined time limit to respond to the approval of the transaction. See column 18, lines 55-64 and column 20, lines 16-28 and lines 45-63.

As per claim 12, Joao et al disclose accepting user input associated with the at least one payment transaction authorization and entry of financial data comprises accepting near-real-time entry of automatic check handling information. The user is given a predetermined time limit to respond to the approval of the transaction. See column 18, lines 55-64 and column 20, lines 16-28 and lines 45-63.

As per claim 13, Joao et al disclose accepting user input associated with the at least one payment transaction authorization and entry of financial data comprises: accepting user input representative of a profile containing pre-stored financial data. The user is given a predetermined time limit to respond to the approval of the transaction. See column 18, lines 55-

64 and column 20, lines 16-63.

As per claim 14, Joao et al disclose accepting user input representative of a profile containing pre-stored financial data comprises accepting user input representative of a profile containing pre-stored credit card information.   See column 16, lines 4-35.

As per claim 15, Joao et al disclose said accepting user input representative of a profile containing pre-stored financial data comprises accepting user input representative of a profile containing pre-stored debit card information. See column 16, lines 4-35.

As per claim 16, Joao et al disclose accepting user input representative of a profile containing pre-stored financial data comprises accepting user input representative of a profile containing pre-stored automatic check handling information. See column 16, lines 4-35.

As per claim 17, Joao et al disclose receiving, from at least one of the users, the at least one payment transaction authorization associated with input responsive to the managed message comprises accepting input [[to]] from the wireless device in response to a presentation of a message through the wireless device. The user is given a predetermined time limit to respond to the approval of the transaction. See column 18, lines 55-64 and column 20, lines 16-63.

As per claim 18, Joao et al disclose accepting input [[to]] from the wireless device in response to a presentation of a message through the wireless device comprises presenting the message through a presentation device selected from a presentation-device group including a visual presentation device and an audio presentation device. The user receives authorization acknowledgement and is given a predetermined time limit to respond to the approval of the transaction. See column 18, lines 55-64 and column 20, lines 16-63.

As per claims 19-20, Joao et al disclose wherein said accepting input from the wireless device in response to a message through the wireless device comprises presenting a price through the wireless device. The user receives authorization acknowledgement and is given a predetermined time limit to respond to the approval of the transaction. See column 18, lines 55-64 and column 20, lines 16-63.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 21-22, 43-44, 63-64 and 77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao et al (US Patent No. 6,529,725).

As per claims 21, 43, 63 and 77, the teachings of Joao et al are discussed above.   Joao et al do not explicitly teach the step of presenting the price being in conjunction with at least one message-structure item comprises all the recited items. Joao et al teach the price and transaction information are presented and a reply is expected from the user. The Examiner submits that in the system of Joao et al, a plurality of financial transactions is affected and a message is transmitted to the user wherein the message is a visual, text or audio message. As per the specific types of items being claimed, the Examiner notes that such do not affect the functioning of the system of Joao et al as such are only types of data relevant to a type of financial transactions. Thus, the Examiner submits that no patentable differences exist. Incorporating such types of data in the system of Joao et al would have been obvious to one of ordinary skill in the art at the time of the invention in order to inform a client or user to submit a response related to an approval/denial of a given type of transactions.

As per claims 22, 44 and 64, the teachings of Joao et al are discussed above. Joao et al do not explicitly teach transmitting at least one payment transaction authorization associated with input responsive to the communication and the wireless device comprises accepting input associated with the at least one payment transaction through the wireless device having a browser selected from the group that includes a WML capable browser, a CHTML capable browser, a Pocket IE HTML capable browser, a Palm Query Application capable browser and a voice XML capable browser.   Joao et al teach that a plurality types of wireless devices may be used in their system. Note column 10, lines 3-14 and lines 42-67. Types of wireless devices having a browser

capability are well known in the art at the time of applicant's invention. Joao et al further state communicating transaction data via the Internet. Note column 10, lines 3-14. Incorporating a wireless device having a browser capability in the system of Joao et al would have been obvious to one of ordinary skill in the art at the time of the invention for instant communication purposes through the Internet so as to communicate transaction data to/from a client.

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday from 7:00AM to 5:30PM.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Frantzy Poinvil/
Primary Examiner, Art Unit 3691

/FP/
March 5, 2010